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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,146	04/27/2000	Lars-Olof Oloff	OLOFSSON=1	2064

1444 7590 10/06/2003

BROWDY AND NEIMARK, P.L.L.C.  
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WASHINGTON, DC 20001-5303

EXAMINER
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TANG, SON M

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 10/06/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/559,146

Applicant(s)

OLOFF ET AL.

Examiner

Son M Tang

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED-ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, Jr. [US. 5,512,883] in view of Burks, Jr. [US 4,195,291].

Regarding to claims 1 and 4: Lane Jr. discloses a method and device for monitoring the operation of a motor, which comprising an initiating a preset load limits when the motor is stabilized (as cited in summary of the inventions and col. 4, lines 50-53, col. 7, lines 332-45 and col. 8, lines 14-25), Lane Jr. does not specifically discloses a predetermined deviation value that stored in the load indicator. Burks, Jr. teaches a system which comprising, a predetermined deviation value is stored as a fixed value, which uses to determine the rotation change and trigger an alarm [as cited in col. 1, lines 50-col. 2, lines 1-6].

It would have been obvious of one having ordinary skill in the art at the time the invention was made to have a preset deviation value stored in the system as taught by Burks which can be used in the system of Lane Jr. in order to have a specific deviation value in the memory for the purpose of preventing false alarm, since when changed by a stored predetermined deviation value so to preclude unnecessary re-calculation and storage of a new threshold when there are only a small insignificant changes. Further more, Burks Jr. does not

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detecting motor current, however, the motor rotation and current are relating to motor power therefore, both components are detectable.

Regarding to claims 2-3: Lane Jr. and Burks Jr. disclose all the limitations as described above, they are not specifically disclose that the deviation value is stored as a percentage number which multiplied by the current or power. It would have been obvious of one having ordinary skill in the art at the time the invention was made to use a factor number for a stored deviation value, since the deviation value is a small value, compares to the normal operator motor current.

Regarding to claims 5-8: Lane Jr. further discloses two current thresholds 3 and 4 which represent the high and low current threshold, Lane Jr. does not specifically discloses the motor is a reversible motor. However, it would have been obvious of one having ordinary skill in the art would have a motivate of employing two current thresholds as taught by Lane Jr. in the reversible motor, in order to monitor both direction of the rotation. Since either direction of rotation could be overloaded.

Regarding to claims 9-10: As stated by Lane Jr. in col. 8, lines 20-25 that the low current threshold indicates overload and high current threshold indicates underload. Thus, it is obvious that the determine current is a supplied power and when the overload condition is occurred, the motor lost its power, since the supplied current increased which increase the supplied power.

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*Conclusion*


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Leukhardt et al. [US 4,249,117], Senders [US 4,539,562], Galloway, Jr. [US 6,078,263] and Felgenhauer [US 5,602,708].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M Tang whose telephone number is (703)306-5970. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (703)308-6730. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

Son Tang

  
DANIEL J. WU 9/30/03  
PRIMARY EXAMINER